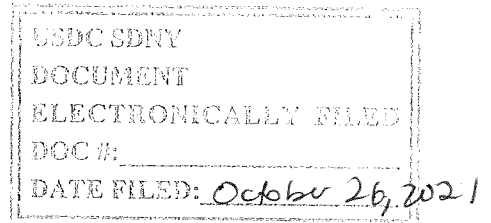


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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 EASTCHESTER TOBACCO & VAPE INC., :
 EASTCHESTER SERVICE STATION INC., :
 EASTCHESTER SERVICE CENTER INC., :
 CHESTNUT MARTS INC., and SCARSDALE :
 AUTO CLINIC INC., :

Plaintiffs, :

v. :

TOWN OF EASTCHESTER, EASTCHESTER :
 TOWN BOARD, ANTHONY S. COLAVITA, :
 JOSEPH DOOLEY, LUIGI MARCOCCIA, :
 THERESA NICHOLSON, SHEILA :
 MARCOTTE, and TOWN OF EASTCHESTER :
 POLICE DEPARTMENT, :

Defendants. :

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ORDER

21 CV 6996 (VB)

On August 19, 2021, plaintiffs commenced the instant action against defendants Town of Eastchester, Eastchester Town Board, Anthony S. Colavita, Joseph Dooley, Luigi Marcoccia, Theresa Nicholson, Sheila Marcotte, and Town of Eastchester Police Department (together, defendants). (Doc. #1).

On September 7, 2021, the Clerk of Court issued summonses as to defendants. (Doc. #4).

On September 27, 2021, plaintiffs docketed proof of service indicating service on defendants on September 27, 2021. (Doc. ##5–12). Accordingly, defendants had until October 18, 2021, to respond to the complaint. See Fed. R. Civ. P. 12(a)(1)(A)(i).

To date, defendants have neither appeared in this action nor answered, moved, or otherwise responded to the complaint.

Accordingly, provided that defendants remain in default, plaintiffs are ORDERED to seek a certificate of default as to defendants by November 9, 2021, and thereafter to move, by order to show cause and in accordance with the Court's Individual Practices, for default judgment against defendants by November 23, 2021. **If plaintiffs fail to satisfy either deadline, the Court may dismiss the case without prejudice for failure to prosecute or failure to comply with court orders. Fed. R. Civ. P. 41(b).**

Dated: October 26, 2021
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read "Vincent Briccetti", written over a horizontal line.

Vincent L. Briccetti
United States District Judge